IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 3802 OF 2005

IN

FIRST APPEAL STAMP NO. 24716 OF 2004

(REJECTED CASE NO. 916 OF 2005

The New India Ass. Co. Ltd. ..Appellants

versus

Hulappa R. Tambhole & Anr. ..Respondents

Ms. Maya Sadhwani for the Appellants.

CORAM : D. G. DESHPANDE,J.

DATE : 2ND SEPTEMBER,2005

P.C. :

1. Heard.

2. This is an application for staying order of this court dated 3.12.2004 by which the appeal came to be dismissed as a consequence of non payment of Bhatta.

3. Counsel for the Appellants state that within one week positively Bhatta will be paid. Upon this condition, Civil Application is allowed and disposed

of. Appeal is restored to file. Bhatta to be paid on or before 9.9.2005 and notices to be issued within four weeks thereafter. If bhatta is not paid as stated above, the said order of dismissal will stand as it is, and no further application will be entertained.

4. Put up after five weeks.

2.9.2005 (D.G. DESHPANDE, J.)